



Charles D. Baker  
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# *The Commonwealth of Massachusetts*

## *Department of Public Safety*

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Thomas G. Gatzunis, P.E.  
Commissioner

Thomas P. Hopkins  
Director

### **Board Meeting Minutes – March 23, 2015**

#### **21<sup>st</sup> Floor – Conference Room 1**

#### **Present Board Members:**

- Walter White, Chair (WW)
- Jeffrey Dougan, Massachusetts Office on Disability Designee (JD)
- Andrew Bedar, Member (AB)
- Lisa Pilorz, Member (LP)
- George Delegas, Member (GD)

and

- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)
- Thomas Hopkins, Executive Director (TH)

#### **Members Not Present:**

- Raymond Glazier, Executive Office on Elder Affairs Designee (RG)
- Carol Steinberg, Member (CS)
- Diane McLeod, Vice Chair (DM)

- Meeting began at approximately 9:00 a.m.

#### **1) Discussion: Roll Call**

WW - Call to order all but Carol Steinberg, Raymond Glazier, and Diane McLeod present

#### **2) Incoming: Chapin Hall, Williams College, 54 Chapin Hill Drive, Williamstown (V15-042)**

TH - EXHIBIT – variance application and supplemental information

- spending over 30%
- width between columns at ramp, 38" wide at column and then expands to 44"

*GD - grant as proposed*

*JD - second – carries unanimously*

3) Incoming: MBTA Green Line, Crossing Curb Cuts, Comm. Ave. & BU Bridge, Comm. Ave. and Carlton St. (V15-050)

- TH - EXHIBIT – variance application and supplemental information
- proposing 18" wide tactile warning strip, where 24" wide is required

*JD - grant as proposed*

*GD - second – carries with LP abstaining*

4) Incoming: Spindrift Building, 194 Nahant Road, Nahant (V15-048 & C14-018)

- TH - EXHIBIT – variance application and supplemental information; March 20, 2015 e-mail from Lynn Leonard requesting 2 weeks to submit response to application

*LP - grant extension to the review to April 6, 2015*

*GD - second – carries with JD abstaining*

5) Incoming Discussion: Urban Art Bar, 709 East Broadway, South Boston (V15-018)

- TH - EXHIBIT – March 2, 2015 submittal from Douglas Stefano
- seeking a variance for bathroom in the basement that will not be accessible, and an accessible toilet room at the first floor
  - seeking variance for the lack of access to the basement
  - first floor bathroom is 69" by 90 ¼"

*LP - grant as proposed*

*GD - second – carries unanimously*

**Carol Steinberg, Member – Now Present**

6) Incoming: Frederick LLC, dba Kemble Inn, 2 Kemble St., Lenox (V15-052)

- TH - EXHIBIT – variance application and supplemental information
- seeking variance for 521 CMR 44.6
  - need to do a full analysis of the spending over the 36 month period
  - shower is offset

*JD - deny*

*AB - second – carries unanimously*

7) Incoming: Ann Whalen Apartments, 33 Kellogg Ave., Amherst (V15-045)

- TH - EXHIBIT – variance application and supplemental information

- 3.3.1b jurisdiction
- seeking 3 variances for 3 toilet rooms
- dimensions are 9' by 5', community room toilets

CS - *grant as proposed*

AB - *second – carries unanimously*

- two toilet rooms at the first floor are 4' 9" by 4' 11"
- there are accessible toilet rooms at the second floor

JD - *no jurisdiction to require toilet rooms at the first floor since accessible toilet rooms are provided at the second floor*

AB - *second – carries unanimously*

CS - *require directional signage to direct people to the accessible toilet rooms*

AB - *second – carries unanimously*

8) Incoming: Junction Shop Mills, 64 Beacon St., Worcester (V15-049)

- TH - EXHIBIT – variance application and all supplemental information
- existing mill building being converted to housing; spending over 30%
  - seeking variances to 7 different sections of the code
  - suggest a hearing

CS - *hearing*

JD - *second – carries unanimously*

9) Incoming: Nashua Street Residences, 1 Nashua St., Boston (V15-047)

- TH - EXHIBIT – variance application and supplemental information
- new 38 story building
  - 500+ residences, with commercial at the first floor
  - sink request for deeper sinks
  - but need to make it clear to them about the parking required

JD - *grant the sink variances as proposed*

AB - *second – carries unanimously*

JD - *require parking plan of how the parking will be laid out*

CS - *second – carries unanimously*

**Raymond Glazier, Executive Office on Elder Affairs Designee (RG)**

10) Incoming: Groton School Athletic Center, 282 Farmers Row, Groton (V15-055)

- TH - EXHIBIT – variance application and supplemental information
- fitness center with student and staff lockers and shower facilities
  - jurisdiction 3.3.1b

- remodeling the locker rooms, seeking a variance for 19.5.3
- propose to provide separate shower and locker room facility for persons with disabilities

*AB - grant as proposed*

*RG - second – carries with JD & CS opposed*

11) Incoming Discussion: Heywood Meadow Trails, 9B Lexington Road, 2B & 3B Heywood St., Concord (V15-039)

TH - EXHIBIT – Delia Kay, Natural Resources Director for the Town of Concord, submitted on March 20, 2015, plans for signage and variance request for the installation height

*JD - grant on the condition that international symbol of access provided*

*RG - second – carries unanimously*

12) Incoming Discussion: 249 Newbury St., Boston (V14-260 & V05-179)

TH - EXHIBIT – March 22, 2015, from John Gorman  
 - seeking 30 day temporary CO until the LULA is inspected

*AB - grant the 30 day temporary CO*

*RG - second – carries unanimously*

13) Discussion: Townhouse, 185 North Main St., North Brookfield

TH - have been following this project via newspaper articles  
 - intention of the restorers is to move Town Hall back to this building  
 - most recent funding was \$1,000,000  
 - spoke with Kaffee Kang about the schematic plans that were designed for the renovations  
 - submittal of the plans to the Board were refused by the Selectman, so plans were not submitted  
 - issued subpoena for the submittal of the plans, and the plans were submitted  
 - currently working with Franco Garafalo Architects who is working on the roof restoration plans  
 - are requesting that the Board lift the stop work order in effect  
 - proposing to submit plan for compliance by December 14, 2015  
 - building is currently closed

CS - any timeframe submitted from the town for compliance

*CS - lift the cease and desist so that the roof work may commence, as long as the building remains closed to the public; require the submittal of the SEA plans, and the plans for access and any variance requests by December 14, 2015*

*JD - second – carries unanimously*

**AB left the room**

14) Incoming: Manton Research Center, Clark Art Institute, 225 South St., Williamstown (V15-056)

TH - EXHIBIT – variance application and supplemental information  
 - variances for signage at 16 door locations, where floor to ceiling glass walls and doors

- seeking alternate location for door signage, proposing to put signage on the actual doors, instead of next to them  
- 6 locations at mezzanine and 10 locations at the upper level  
- they don't want to put the signage on the glass for aesthetic reasons, signage allowed on the doors in ADA

*CS - grant as proposed*

*GD - second – carries with LP abstaining and JD abstaining*

TH - 15 elevator lobbies, propose to mount signage slightly lower for emergency egress

*CS - grant as proposed*

*JD - second – carries with LP abstaining*

TH - signage location at 2 doors, there is neither latch side or hinge side space to mount the signs, propose to mount the signs on the doors

*CS - grant as proposed*

*RG - second- carries with JD opposed and LP abstaining*

### **AB now present**

15) Incoming Discussion: Enterprise Block Residences, 50 Center St., Brockton (C14-146 & V15-006)

TH - brand new building  
- issued stop work order on the entrances, due to complaint regarding 5 unit entrances being created with steps

- denied the variance request

- EXHIBIT – James Keefe, President of Trinity One Brockton, Phase 1, submittal on March 9, 2015;

submitted by Deborah Nunes on Keefe's behalf

- seeking temporary CO for the rest of the building without the 5 units in question

- going to provide 2 of the units with an accessible entrance (one via walkway and one via ramp)

- interior corridor

- two accessible entrances

- tried to say they were townhouses, but the first floor units are not considered townhouses

- property line creates problem with creating access at the street from the first floor

- one is a one bedroom and one is a two bedroom unit that will have accessible entrances from the street

*JD - grant as proposed (occupancy and variance for the other units)*

*GD - second - carries unanimously*

16) Incoming Discussion: Station Restaurant, 28 West Broadway, South Boston (V15-027)

TH - discussed the project in terms of the new owner spending over 30%

- previously voted to grant the request, on the condition that the accessible units would be provided at other buildings owned by the same owner

- denied variance for the lack of access into the restaurant, and thus the lack of an accessible toilet room

- EXHIBIT – March 19, 2015 letter from Joe Hanley, seeking interpretation regarding tenant renovation space, spending less than \$100,000; but owner spent over 30%

AB - hold them to the previous decision

RG - second – carries unanimously

17) Hearing: Kimball Farm, 1543 Lunenburg Road, Lancaster (C14-058)

WW - called to order at 11:00 a.m.

- introduce the Board

Patricia Krauchune, Complainant (PK)

Janice Martell, Witness for the Complainant (JM)

Marybeth Rattey, Business Manager for Kimball Farm (MR)

Brenda Mulcahy, Ice Cream Manager for Kimball Farm (BM)

Mark Dempsey, Compliance Officer for the Board (MD)

WW - all sworn in

- EXHIBIT 1 – AAB1-47

PK - started in June of 2014, a Friday night

- went to use the handicapped parking at the front of the building

- there were traffic cones blocking the parking space

- spoke to the manager, Marybeth Rattey, and told them that they could not block the accessible parking space

- called the main office for Kimball Farm, and was told that the parking would be made compliant

- another time she went, the signs were covered with burlap

- now the signs are on the side of the building; have been told that the accessible parking was moved because of safety reasons

- letter from Mike McCue, of McCue Associates and Lancaster Commission on Disability stated that the parking was in compliance

- the parking was moved to accommodate Cruise Nights

WW - accept the submittal of pictures of the parking at the Westford location and Lancaster location as EXHIBIT 2

PK - gone many times since the parking location and cannot see the signs for food and the location of the parking is further away than originally provided

MR - met with PK at first and was cursed at in the start, so took the matter outside

- because of cruise night the standard is that the cars are stationary from 4-8 p.m. on Friday's

- asked for a police officer to be present because of the language and it is standard procedure for any upset customers

- wanted to move the parking due to safety and the parking was moved to the other side of the building, the parking is closest to the front door, and closest to the food ordering tent, 70 feet

- signage was provided in the bucket due to cruise nights

- created one way drive for cruise night

- attendants reverse parking spaces and all of the spaces in the accessible parking location (AAB 11),

- 3 customers had driven into the front of the building, which is why parking is no longer allowed at the front of the building

- AAB 20 is on a day when there was not cruise night

- police details during cruise nights, and 12 employees out in the parking lot

- have permanently installed the parking signs at the accessible spaces

- these spaces were deemed as the safest

MD - received the complaint in July of 2014  
- in November 2014, brought the matter to the Board and the Board approved the accessible parking location shown on that plan  
- sent out a complaint resolution based on that plan and Complainant submitted hearing request form, thus hearing was scheduled

MR - after the accessible parking is full, use additional spaces as temporary accessible parking due to the need for accessible parking spaces

WW - the temporary parking also needs to comply, curious as to the number of parking provided during the cruise night events

MD - 401-500, requires 9 accessible parking spaces (521 CMR 23.2.1)

WW - do you think that you have less than 200?

MR - somewhere between 2-300

MR - there are 35 spaces that are striped  
- 4 accessible parking spaces striped

WW - the gravel accessible parking spaces are in surplus of what is required, so if there are 9 accessible parking spaces provided on pavement when the parking is 2-300 cars on the Friday nights, which complies with the requirements of 521 CMR

- extra parking spaces are located on the gravel area

PK - letter from Mike McCue, Chair of Lancaster Commission on Disability, dated November 18, 2014, stated that Friday night events required more paved accessible parking spaces

JD - distance from parking to accessible entrance?

MR – 30-40 feet

CS - approved the parking because thought that the parking was still close to the entrance, issue is safety  
- 23 spaces across the lot, directly across the porch

MR - those accessible parking spaces are the closest to the entrance presently

CS - would parking across from the porch be closer?

PK - no

JD - no dimensions shown on the plan

MR - building is 46' across the building (going left to right), porch is 8-10" deep, ice cream windows is 24 feet wide, food order window is around 75'

- you do not go into the building to order food or ice cream, there is a country store with a door to the country store at the porch

- suddenly had incidents of people driving into the customer line, so no longer offer parking in front of the porch; there was one police report regarding those incidents

WW - issue at hand is the location of the accessible parking and the signage for the accessible parking

- the Board made a motion that the parking spaces provided were closest to the building, and the decision to resolve the parking issue was appealed to a hearing by the Complainant

*JD - the parking spaces provided appear to be closest to the store entrance, not more than 150 feet away, and meets the number requirements for the striped parking (temporary parking notwithstanding), uphold the previous decision of the Board that the accessible parking spaces provided, per the 11/12/14 decision of the Board*

*GD - second – carries unanimously*

*JD - parking signage was noted as not being at the head of the space, three signs provided at the spaces as shown in the pictures; signage not required to be centered, needs to be at the head of the spaces;*

*MR - do have two parking spaces with signage permanently installed and in the ground, with one being a van accessible space*

*JD - therefore, uphold decision of 11/12/14 that the accessible parking signage provided in compliance with 521 CMR*

*GD - second – carries unanimously*

**MR** - McCue was on board of the proposed parking, and then submitted the AAB11 email, but he has never been to a Cruise Night on a Friday night

**WW** - in regards to the temporary parking on Friday nights Cruise Nights, presents an additional need of accessible parking on a temporary basis, based on the number of additional temporary parking provided  
- would like to have more information submitted, regarding a revised parking plan showing the temporary parking provided, and then outline the temporary accessible parking spaces provided

*JD - request that the parking plan showing the temporary parking and the temporary accessible parking spaces provided, with a set number of the parking spaces provided (max capacity), how many accessible parking spaces are provided and where, and the route to the parking spaces on the temporary basis during those event nights, to be submitted to the Board by May 1, 2015*

*LP - second – carries unanimously*

## **LUNCH BREAK**

18) Hearing: Motion to reopen, Kimball Farms, 1543 Lunenburg Rd., Lancaster (C14-058)

*JD - reopen to clarify the motion*

*CS - second – carries unanimously*

*JD - clarify the motion that the plan requesting temporary parking include, but not be limited to the following items: 1) the total number of parking spaces provided to the general public for those special events; 2) the total number of accessible parking spaces provided for the general public for those special events; 3) the route that people take to get to those designated accessible parking spaces during those special events; and 4) 521 CMR does have certain allowances under section 23 for temporary parking spaces*

*GD - second – carries unanimously*

**WW left the room, JD acting as chair**



19) Incoming Discussion: Proposed Restaurant, 21 South Water St., Nantucket (V15-024)

- TH
- originally reviewed on 2/23/15
  - renovating existing restaurant space and expanding to the second floor
  - spending \$350,000, value of the building is \$500,400
  - previously granted 17.5 and 28.1, regarding the lack of access to the second floor
  - 20.2 and 25.2, regarding the lack of access at two entrance doors
  - granted 30.1 for the second floor toilet room as well
  - all of the variances were granted on the condition that seating plans for the first floor and a policy for seating those unable to access the first floor

CS - *accept the submitted plan, on the condition that three additional tables that are considered high tops, are converted to lower tables, for a total of 5 lowered tables*  
- *no second – motion fails*

GD - *accept the submitted plans, on the condition that one additional accessible table (the four-person high top shown) be provided, for a total of three accessible tables*

RG - *second – carries unanimously*

20) Incoming: Priscilla Beach Theater, 800 Rocky Hill Rd., Plymouth (V15-043)

- TH
- EXHIBIT – variance application and supplemental information
  - variances for lack of accessible seating at the mezzanine level and the lack of compliant accessible seating locations at the main level
  - spent \$500,000 (noted in application)
  - appears as though the building was rebuilt from the ground up, but not enough information to confirm

CS - *more information regarding spending and value of the building and any volunteer work*

RG - *second – carries unanimously*

**WW now present and acting as chair**

21) Hearing: Lorenzo's Restaurant, 500 West Grove Street, Middleboro (C14-067)

- WW
- called to order at 1:35 p.m., scheduled for 1:00 p.m.
  - introduce the Board

Mark Dempsey, Compliance Officer for the Board (MD)

- WW
- MD sworn in
  - EXHIBIT 1 – AAB1-13
  - no one present to represent the building owner

- MD
- complaint hearing on January 5, 2015 held, due to lack of response to initial notices to the owners
  - fine hearing notice sent out for lack of appearance by the owners on January 5, 2015
  - submittal from Owners on March 17 and 19, 2015, included pictures confirming compliance

*JD - not fine based on evidence presented*

*RG - second – carries unanimously*

22) Incoming: Jimmy Johns, 411 D St., South Boston (V15-011)

TH - four separate applications for new Jimmy John's restaurants in MA  
- which is a reason why MD went out to do a site visit

MD - March 3, 2015 site visit  
- 4 two-person booths located on a raised platform, on the other side there are 12 mounted stools at the window, and then a two person accessible table  
- on March 13, 2015, received a letter stating that they would provide an additional accessible table, in lieu of lowering the window counter seating

*CS - deny the request to provide an additional accessible table as a method of compliance, require lower all tables*

*RG - second – carries unanimously*

MD - one restaurant found that there was no platform seating, since required by building inspector to not have raised seating areas

*CS - require the submittal of seating plans and restaurant interiors for any future stores within Massachusetts that are proposed to be opened*

*JD - second - carries unanimously*

23) Incoming: Jimmy Johns, 512 Park Drive, Boston (V15-012)

MD - March 3, 2015 site visit  
- 5 booths, 2 6-person and 3 4-person, all raised, one lowered two-person table and one 4 person high top  
- on March 13, 2015, received a letter stating that they would provide an additional accessible table by lowering the high top 4-person seating to create accessible 4 person low top

*CS - deny the request to provide an additional accessible table as a method of compliance, require lower all tables*

*JD - second – carries unanimously*

24) Incoming: New Two-Story Professional Building, 244 Grove St., Melrose (V15-053)

TH - EXHIBIT – variance application and supplemental information  
- new building  
- seeking a variance for the sidewalk entrance and the secondary emergency egress  
- 26.6.1 for the landing at the entrance doors

- foundation was set too high

*AB - grant on the condition that automatic door opener provided at the entrance*

*GD - second – carries unanimously*

25) Hearing: Southwick Florist & Greenhouse, 636 College Highway, Southwick (C09-077)

WW - called to order at 2:00 p.m.

- introduce the Board

Mark Dempsey, Compliance Officer for the Board (MD)

Scott Ricker, Complainant (SR)

Russell Fox, Owner of Southwick Florist and Greenhouse (RF)

WW - all sworn in

- EXHIBIT 1 – AAB1-94

TH - e-mail from SR at 5:35 a.m. that came from Scott Ricker which included pictures of the property in December of 2013

WW - accept the picture of the property from 2013 as EXHIBIT 2

SR - state that building continues to be not in compliance; require building be closed within 60 days of noncompliance of any order of the Board; tape

RF - submittal of letter dated March 23, 2015, and a package of photographs

WW - EXHIBIT 3 – letter; EXHIBIT 4 – package of pictures

TH - was originally SR's complaint for first docket and a decision was rendered as a result of the original complaint

- some variance relief was granted, as noted in AAB 82 & 84

- in February received an additional complaint, noting that the conditions of the original decision were not being met

MD - sent notice of hearing went certified mail with return receipt requested to Mr. Fox and the two new complainants, and confirmation of receipt was received by the Board

RF - as the letter submitted notes we have worked with the AAB and will continue to work with the Board

TH - change in level was treated with steps, and variance was granted to the change in level, on the condition that the stair handrails complied; on the condition that there was an accessible route to a portion of the space and accommodation policy in place

WW - what is the use of the building?

- RF - primary use of the building is a display house for plants (90%)  
 - seasonal displays, statuary, garden displays  
 - tried to rebuild the greenhouse, but the supply and the demand caused the prices to be astronomical, since there were multiple greenhouses that collapsed during winter storm Nemo in 2012  
 - going to put the benches on castors to move the displays in and out of the building
- LP - accessible cashier counter is in the display house?  
 RF - yes
- WW - site visit scheduled?  
 MD - will be done this spring
- CS - AAB76-77, showing greeting cards and stuffed animals  
 MD - those are inside the existing building  
 CS - are those available at the accessible levels
- RF - did provide some cards and silks outside, but they were damaged  
 - member of FTD and Teleflora, so have printed the books to make them available both at the accessible area and at the interior florist shop portion of the building  
 - carriage house is 70 feet long, and a small family business with 1-2 employees  
 - have accommodated patrons by coming out to people unable to get out of their vehicles
- CS - *not find in favor of the complainant and therefore dismiss the new complaint, based on the testimony and submittals proving that the owners are complying with the orders of the Board*  
 GD - *second – carries unanimously*

**CS and GD not present**

26) Incoming: Bay Cove Housing, 370 Dorchester St., South Boston (V15-054)

- TH - EXHIBIT – variance application and supplemental information  
 - spending over 30%  
 - buying up properties to create housing for developmentally disabled people, but they are dormitories and subject to Section 8  
 - the lack of access limits opportunities for both the potential tenants and their families  
 - would like the Board Members to review this application at the next meeting

- LP - *send the variance application to the Board Members for review at the next meeting on April 6, 2015*  
 JD - *second – carries unanimously*

**GD now present**

27) Incoming Discussion: Vilna Shul, Boston's Center for Jewish Culture, Inc., 14-18 Phillips St., Boston (V15-033)

TH - EXHIBIT - variance application and supplemental information  
- triggering the requirement for an accessible entrance and bathroom, based on spending  
- project is to replace the front entrance plaza  
- seeking a time variance, but no time given  
- sent to the Board, for review today  
- initial project is over \$100,000 spending

*AB - schedule a hearing*

*JD - second – carries unanimously*

### **CS now present**

28) Incoming: Boston Medical Center, Yawkey Pavilion, 3<sup>rd</sup> Floor, 850 Harrison Ave., Boston (V15-051)

TH - EXHIBIT – variance application and supplemental information  
- maternity ward rehab  
- spending \$22,000,000, building value is \$58,784,702  
- seeking 5 variances for 3<sup>rd</sup> floor work only  
- first variance requested for movable shower chairs instead of fold-down

*JD - grant use of movable shower seat*

*CS - second – carries unanimously*

TH - handheld shower proposed at side wall, showers have movable seats

*CS - grant as proposed*

*LP - second – carries unanimously*

TH - 44.4.1, location of water closet, centerline required to be 18"  
- seeking additional dimension of more than 18", seeking variance to provide staff-assisted use of the toilet, then providing two drop-down grab bars

*JD - motion to grant as proposed*

*RG - second – carries unanimously*

TH - permission to use drop down grab bars in lieu of permanently installed grab bars

*JD - grant as proposed*

*LP - second – carries unanimously*

TH - seeking variance to use toilet paper dispenser integrated with the drop-down grab bars

*LP - in regards to the previous pull down grab bars, make sure that the industry standard reinforcement for the pull down grab bars*

*RG - second – carries unanimously*

*RG - continue for more information regarding toilet paper dispenser on grab bar*

*LP - second – carries unanimously*

*RG - require plans for the complete accessibility upgrades for the entire building, detailing spending analysis, plans for compliance or variance applications, to be submitted within 3 months of receipt of the decision of the Board*

*JD - second – carries unanimously*

29) Hearing: Pioneer Valley Performing Arts Charter Public School, 15 Mulligan Drive, South Hadley (V14-240)

WW - called to order at 3:00 p.m.

- introduce the Board

Scott Goldman, Head of Pioneer Valley Performing Arts Charter Public School (SG)

Aelan Tierney, Project Architect from Kuhn Riddle Architects (AT)

WW - both sworn in

- EXHIBIT – AAB1-17

AT - submittal from AT e-mail

WW - accept as EXHIBIT 2

AT - variance submitted in the fall during design-development phase

- variance was denied and resulted in the hearing being scheduled

- existing building is a 3-story building that used to be a research and design facility; it was converted to the school 3 years ago and expanded the school to a junior high and high school; school was in existence since 1996

- proposed building is a metal pre-fabricated building

- because it is a metal building, needs acoustical treatments at the interior

- \$1.9 million budget for the project, and it has been trimmed down as much as possible; bids came back at \$2.13 million, so still need to trim costs

- ramp and stairs to the existing first floor level from the lobby entrance

- classrooms will be used as dressing rooms

SG - all of the people that come on and off the stage come from the side of the stage

- student run booth will have a lift so that everyone will have access to the sound and lighting for the theater, and will also connect to an accessible seating location

CS - access to the stage from the theater

AT - from the seating area and then come out into the lobby and up the ramp and onto the stage  
- if no stairs provided at the stage from the interior of the venue, then would that comply

SG - PVPA is a very unique school

- did talk with some of the students, for whom the lift at the stage would be an issue  
- sat with them to get their take on the form of access to the stage  
- students expressed that they would prefer to come in with the other students  
- don't have graduation or academic awards at this stage  
- all the students mostly perform on stage  
- graduations are held in the Calvin Theater in Northampton, which holds 4-5,000 people  
- have been operating in the existing theater with access to the stage

AT - vertical wheelchair lift to access the seating platforms and the AV booth, and seeking variance for the lack of access to the stage

CS - what about auto-matic door openers from the seating out to the lobby

WW - that would be an additional \$5,000 to the project

SG - there are ushers at each show, who could assist with the opening of the doors

*JD - grant the proposed route to the stage*

*GD - second – carries unanimously*

30) Advisory Opinion: Madison Park Village #3, Roxbury

TH - need to move to April 6<sup>th</sup>

*CS - move to April 6, 2015*

*GD - second – carries unanimously*

31) Incoming: Curb Cuts at the NW corner of Main St. and Elm St., Millbury (V15-041)

TH - EXHIBIT – variance application and supplemental information

- proposing one apex curb cut  
- perpendicular curb cuts would push the stop line so far back that it would be a public safety hazard  
- believe that they meet the exemptions to allow the use of apex curb cuts

*LP - no variance is required, based on the fact that the installation meets the requirements of 21.1.1*

*CS - second – carries unanimously*

32) Incoming: DCR Blue Hills State Reservation Temporary Parking, 695 Hillside St., Milton (C13-090 & V15-044)

TH - EXHIBIT – variance application and supplemental information  
- portion of the route from the parking to the accessible entrance that is 6.5% (6 foot section)

AB - *grant as proposed*

JD - *second – carries unanimously*

LP - *grant the location of the signage based on the language of 23.6.1*

AB - *second – carries unanimously*

33) Incoming Discussion: Agawam Cinemas, 866 Suffield St., Agawam (V15-030)

KS - previously presented at the last meeting as only one wheelchair seating location provided  
- actually proposing compliant number of seating locations (4) just seeking a variance for distribution of the seating

CS - *grant the variance for the lack of distribution*

JD - *second – carries unanimously*

34) Discussion: Meeting Minutes and Decisions from March 9, 2015

KS - any changes other than those e-mailed by RG (end of Alpha Epsilon Pi, last paragraph appears twice; RG appearance at the meeting (before Salmon Falls), mid page 4, “leaves” vs. “leafs”)?

LP - *accept the minutes with the amendments from RG, and accept all decisions, except the three related to Tufts University, to review the submitted documentation at the April 6, 2015 meeting*

JD - *second – carries unanimously*

- End of Meeting -

Matters not reasonably anticipated 48 hours in advance of meeting

- 249 Newbury St., Boston (V14-260 & V05-179) - March 22, 2015, letter from John Gorman

#### EXHIBITS:

- Chapin Hall, Williams College, 54 Chapin Hill Drive, Williamstown (V15-042) - variance application and supplemental information
- MBTA Green Line, Crossing Curb Cuts, Comm. Ave. & BU Bridge, Comm. Ave. and Carlton St. (V15-050) - variance application and supplemental information
- Spindrift Building, 194 Nahant Road, Nahant (V15-048 & C14-018) - variance application and supplemental information; March 20, 2015 e-mail from Lynn Leonard requesting 2 weeks to submit response to application
- Frederick LLC, dba Kemble Inn, 2 Kemble St., Lenox (V15-052) - variance application and supplemental information



- Ann Whalen Apartments, 33 Kellogg Ave., Amherst (V15-045) - variance application and supplemental information
  - Junction Shop Mills, 64 Beacon St., Worcester (V15-049) - variance application and all supplemental information
  - Nashua Street Residences, 1 Nashua St., Boston (V15-047) - variance application and supplemental information
  - Groton School Athletic Center, 282 Farmers Row, Groton (V15-055) - variance application and supplemental information
  - Manton Research Center, Clark Art Institute, 225 South St., Williamstown (V15-056) - variance application and supplemental information
  - Priscilla Beach Theater, 800 Rocky Hill Rd., Plymouth (V15-043) - variance application and supplemental information
  - New Two-Story Professional Building, 244 Grove St., Melrose (V15-053) - variance application and supplemental information
  - Bay Cove Housing, 370 Dorchester St., South Boston (V15-054) - variance application and supplemental information
  - Vilna Shul, Boston's Center for Jewish Culture, Inc., 14-18 Phillips St., Boston (V15-033) - variance application and supplemental information
  - Boston Medical Center, Yawkey Pavilion, 3<sup>rd</sup> Floor, 850 Harrison Ave., Boston (V15-051) - variance application and supplemental information
  - Curb Cuts at the NW corner of Main St. and Elm St., Millbury (V15-041) - variance application and supplemental information
  - DCR Blue Hills State Reservation Temporary Parking, 695 Hillside St., Milton (C13-090 & V15-044) - variance application and supplemental information
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- Urban Art Bar, 709 East Broadway, South Boston (V15-018) - March 2, 2015 submittal from Douglas Stefano
  - Heywood Meadow Trails, 9B Lexington Road, 2B & 3B Heywood St., Concord (V15-039) - Delia Kay, Natural Resources Director for the Town of Concord, submitted on March 20, 2015, plans for signage and variance request for the installation height
  - Enterprise Block Residences, 50 Center St., Brockton (C14-146 & V15-006) - James Keefe, President of Trinity One Brockton, Phase 1, submittal on March 9, 2015; submitted by Deborah Nunes on Keefe's behalf
  - Station Restaurant, 28 West Broadway, South Boston (V15-027) - March 19, 2015 letter from Joe Hanley, seeking interpretation regarding tenant renovation space, spending less than \$100,000; but owner spent over 30%
  - Jimmy Johns, 411 D St., South Boston (V15-011) - March 3, 2015 site visit report
  - Jimmy Johns, 512 Park Drive, Boston (V15-012) - March 3, 2015 site visit report